

Beth A. Wilkinson (*pro hac vice*)
 bwilkinson@wilkinsonstekloff.com
 Rakesh N. Kilaru (*pro hac vice*)
 rkilaru@wilkinsonstekloff.com
 Kieran Gostin (*pro hac vice*)
 kgostin@wilkinsonstekloff.com
 Grace Hill (*pro hac vice*)
 ghill@wilkinsonstekloff.com
 Anastasia M. Pastan (*pro hac vice*)
 apastan@wilkinsonstekloff.com
 WILKINSON STEKLOFF LLP
 2001 M Street NW, 10th Floor
 Washington, DC 20036
 Telephone: (202) 847-4000
 Facsimile: (202) 847-4005

Bambo Obaro
 bambo.obaro@weil.com
 WEIL, GOTSHAL AND MANGES
 201 Redwood Shores Parkway
 Redwood Shores, CA 94065
 Telephone: (650) 802-3083

Counsel for Microsoft Corporation

[Additional Counsel Identified on Signature Page]

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

MICROSOFT CORPORATION and
 ACTIVISION BLIZZARD, INC.,

Defendants.

Case No. 3:23-cv-02880-JSC

**DEFENDANTS' ADMINISTRATIVE
 MOTION TO SEAL PORTIONS OF
 DEFENDANTS' PROPOSED FINDINGS OF
 FACT AND CONCLUSIONS OF LAW**

Dept.: Courtroom 8—19th Floor
 Judge: Honorable Jacqueline S. Corley

Pursuant to Civil Local Rules 7-11 and 79-5(c), Defendants Microsoft Corporation (“Microsoft”) and Activision Blizzard, Inc. (“Activision”) (collectively, “Defendants”) respectfully move this Court for an order sealing the portions of Defendants’ Proposed Findings of Fact and Conclusions of Law (Exhibit B).

The proposed sealing in the chart below reflects Defendants’ good-faith efforts to narrowly seek sealing of only that information which is competitively sensitive and contained in internal documents, the public disclosure of which would cause injury to Defendants that cannot be avoided through any less restrictive alternative means. Defendants have identified the below-referenced proposed sealing with yellow highlighting. Defendants note that the unredacted copy of Defendants’ Proposed Findings of Fact and Conclusions of Law also contains green-highlighted portions, which correspond to proposed redactions to FTC and non-party information in connection with Defendants’ forthcoming Administrative Motion To Consider Whether Another Party’s Information Should Be Sealed.

Document	Portions to Be Filed Under Seal	Designating Party	Basis for Sealing Request ¹
Findings of Fact	Page 4, paragraph 23, portions of line 20	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential market share analyses, assessment of the competitive landscape, and internal figures and projections, which could be used to injure Microsoft if made publicly available.

¹ Legitimate private interests warrant sealing of Microsoft or Activision information in this chart, and the unsealing of the information would result in injury to Microsoft or Activision that cannot be avoided through any less restrictive alternatives.

Findings of Fact	Page 7, paragraph 42, portions of lines 22-27	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting business partnerships, terms of existing confidential agreements, and negotiations regarding confidential agreements, which could be used to injure Activision if made publicly available.
Findings of Fact	Page 8, paragraph 42, lines 1-2	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting business partnerships, terms of existing confidential agreements, and negotiations regarding confidential agreements, which could be used to injure Activision if made publicly available.
Findings of Fact	Page 9, paragraph 53, portions of lines 17-19	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, market share analyses, and revenue figures and projections, which could be used to injure Microsoft if made publicly available.

Findings of Fact	Page 10, paragraph 58, lines 24-25	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential market share analyses, assessment of the competitive landscape, and internal figures and projections, which could be used to injure Microsoft if made publicly available.
Findings of Fact	Page 12, paragraph 67, lines 11-15	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, market share analyses, and revenue figures and projections, which could be used to injure Microsoft if made publicly available.
Findings of Fact	Page 13, paragraph 72, portions of lines 13-15	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential market share analyses, assessment of the competitive landscape, and internal figures and projections, which could be used to injure Microsoft if made publicly available.

Findings of Fact	Page 17, paragraph 89, portions of lines 4-5	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting confidential revenue figures, which could be used to injure Activision if made publicly available.
Findings of Fact	Page 17, paragraph 91, portions of lines 15-16	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting confidential revenue figures, which could be used to injure Activision if made publicly available.
Findings of Fact	Page 17, paragraph 92, portions of lines 21-22	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting confidential revenue figures, which could be used to injure Activision if made publicly available.
Findings of Fact	Page 18, paragraph 93, portions of lines 1-2	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting confidential revenue figures, which could be used to injure Activision if made publicly available.

Findings of Fact	Page 18, paragraph 95, portions of line 13	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting confidential market share analyses, assessment of the competitive landscape, and confidential revenue figures, which could be used to injure Activision if made publicly available.
Findings of Fact	Page 18, paragraph 95, portions of line 15	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting confidential market share analyses, assessment of the competitive landscape, and confidential revenue figures, which could be used to injure Activision if made publicly available.
Findings of Fact	Page 20, paragraph 103, portions of lines 4-6	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting confidential revenue figures and assessments of the competitive landscape, which could be used to injure Activision if made publicly available.

Findings of Fact	Page 20, paragraph 104, portions of lines 13-15	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting strategic evaluation of forward-looking opportunities, internal business strategy, confidential internal decision-making processes, and investment decisions, which could be used to injure Activision if made publicly available.
Findings of Fact	Page 20, paragraph 105, portions of lines 17-18	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting strategic evaluation of forward-looking opportunities, internal business strategy, confidential internal decision-making processes, and investment decisions, which could be used to injure Activision if made publicly available.
Findings of Fact	Page 20, paragraph 106, portion of line 25 – page 21, paragraph 106, portion of line 4.	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting confidential business partnerships, terms of existing confidential agreements, negotiations regarding confidential agreements, and revenue figures, which could be used to injure Activision if made publicly

			available.
Findings of Fact	Page 20, paragraph 106, portion of line 25	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential terms of existing confidential agreements and revenue figures and projections, which could be used to injure Microsoft if made publicly available.
Findings of Fact	Page 21, paragraph 106, portions of lines 1-6	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential terms of existing confidential agreements and revenue figures and projections, which could be used to injure Microsoft if made publicly available.
Findings of Fact	Page 21, paragraph 106, portion of line 6	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting confidential business partnerships, terms of existing confidential agreements, negotiations regarding confidential agreements, and revenue figures, which could be used to injure Activision if made publicly available.

Findings of Fact	Page 21, paragraph 107, portions of lines 7-17	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting confidential business partnerships, terms of existing confidential agreements, negotiations regarding confidential agreements, and revenue figures, which could be used to injure Activision if made publicly available.
Findings of Fact	Page 21, paragraph 108, portion of line 18 – page 22, paragraph 108, line 2.	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting confidential business partnerships, terms of existing confidential agreements, negotiations regarding confidential agreements, and revenue figures, which could be used to injure Activision if made publicly available.
Findings of Fact	Page 22, paragraph 109, portions of lines 3-6	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting confidential business partnerships, terms of existing confidential agreements, negotiations regarding confidential agreements, and revenue figures, which could be used to injure Activision if made publicly available.

Findings of Fact	Page 22, paragraph 112, portions 23-26	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, and potential business partnerships, which could be used to injure Microsoft if made publicly available.
Findings of Fact	Page 23, paragraph 112, lines 1-2	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, assessment of the competitive landscape, and potential business partnerships, which could be used to injure Microsoft if made publicly available.
Findings of Fact	Page 23, paragraph 113, portions of lines 3, 4, 7	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential potential business partnerships, which could be used to injure Microsoft if made publicly available.

Findings of Fact	Page 23, paragraph 114, portions of line 11	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential market share analyses, assessment of the competitive landscape, and internal figures and projections, which could be used to injure Microsoft if made publicly available.
Findings of Fact	Page 23, paragraph 117, lines 22-24	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, and internal business strategy, which could be used to injure Microsoft if made publicly available.
Findings of Fact	Page 24, paragraph 120, portions of lines 10-11	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, and internal business strategy, which could be used to injure Microsoft if made publicly available.

Findings of Fact	Page 25, paragraph 130, portions of lines 20-22	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting confidential business partnerships, terms of existing confidential agreements, and negotiations regarding confidential agreements, which could be used to injure Activision if made publicly available.
Findings of Fact	Page 28, paragraph 151, portions of lines 25-27	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, and potential business partnerships, which could be used to injure Microsoft if made publicly available.
Findings of Fact	Page 29, paragraph 151, lines 1-2	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, and potential business partnerships, which could be used to injure Microsoft if made publicly available.

Findings of Fact	Page 29, paragraphs 153-155 in their entirety	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, terms of potential confidential agreements, and potential business partnerships, which could be used to injure Microsoft if made publicly available.
Findings of Fact	Page 30, paragraph 159, portions of lines 17-18	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential strategic evaluation of forward-looking opportunities, terms of existing confidential agreements, and revenue figures and projections, which could be used to injure Microsoft if made publicly available.
Findings of Fact	Page 31, paragraph 161, portion of line 1	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential strategic evaluation of forward-looking opportunities and revenue figures and projections, which could be used to injure Microsoft if made publicly available.

Findings of Fact	Page 31, paragraph 162, lines 3-7	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, market share analyses, and revenue figures and projections, which could be used to injure Microsoft if made publicly available.
Findings of Fact	Page 31, paragraph 164, portions of lines 17-18	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting assessments of the competitive landscape, and internal presentations discussing business strategy, which could be used to injure Activision if made publicly available.
Conclusions of Law	Page 44, paragraph 20, line 4	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential market share analyses, internal revenue and projections, and assessment of the competitive landscape, which could be used to injure Microsoft if made publicly available.

1	Conclusions of Law	Page 44, paragraph 21, portions of lines 11-12, portion of footnote 3	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential market share analyses, internal revenue and projections, and assessment of the competitive landscape, which could be used to injure Microsoft if made publicly available.
2				
3				
4				
5				
6				
7				
8				
9	Conclusions of Law	Page 44, paragraph 22, portions of line 16	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting confidential business partnerships, terms of existing confidential agreements, and negotiations regarding confidential agreements, which could be used to injure Activision if made publicly available.
10				
11				
12				
13				
14				
15				
16				
17	Conclusions of Law	Page 49, paragraph 38, portions of lines 17-18	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, and business strategy, which could be used to injure Microsoft if made publicly available.
18				
19				
20				
21				
22				
23				
24				
25	Conclusions of Law	Page 53, paragraph 50, portions of line 19	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting confidential market share analyses and assessment of the competitive
26				
27				
28				

			landscape, which could be used to injure Activision if made publicly available.
Conclusions of Law	Page 63, paragraph 82, portions of line 9	Activision	This portion contains non-public and highly sensitive information including, but not limited to, information reflecting confidential market share analyses and assessment of the competitive landscape, which could be used to injure Activision if made publicly available.
Conclusions of Law	Page 70, paragraph 101, portions of lines 23-25	Microsoft	This portion contains non-public and highly sensitive information including, but not limited to, confidential internal decision-making processes, investment decisions, strategic evaluation of forward-looking opportunities, and revenue figures and projections, which could be used to injure Microsoft if made publicly available.

ARGUMENT

I. Sealing the Defendants’ Proposed Findings of Fact and Conclusions of Law Is Warranted Under Ninth Circuit Precedent as It Contains Defendants’ Confidential Business Information

In the Ninth Circuit, “[p]arties seeking to seal judicial records relating to motions that are ‘more than tangentially related to the underlying cause of action,’ bear the burden of overcoming the

1 presumption with ‘compelling reasons supported by specific factual findings that outweigh the general
 2 history of access and the public policies favoring disclosure.’” *Lenovo (United States) Inc. v. IPCom*
 3 *GmbH & Co., KG*, 2022 WL 2313948, at *1 (N.D. Cal. Jun. 28, 2022); *see also Kamakana v. City &*
 4 *County of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006) (“[T]he court must ‘conscientiously [] balance
 5 the competing interests’ of the public and the party who seeks to keep certain judicial records secret.”).
 6 Courts in this Circuit regularly find that sealing is warranted where the records or information that are
 7 sought to be sealed could be used “as sources of business information that might harm a litigant’s
 8 competitive standing.” *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 598 (1978); *see also In re Elec.*
 9 *Arts, Inc.*, 298 F. App’x 568, 569 (9th Cir. 2008) (same); *Velasco v. Chrysler Grp. LLC*, 2017 WL
 10 445241, at *2 (C.D. Cal. Jan. 30, 2017) (stating that “district courts in this Circuit have sealed records
 11 containing ‘information about proprietary business operations, a company’s business mode or
 12 agreements with clients,’ [and] ‘internal policies and strategies’”) (internal citations omitted).

13 “The Ninth Circuit has explained that ‘in general, compelling reasons sufficient to outweigh the
 14 public’s interest in disclosure and justify sealing court records exist when such court files might have
 15 become a vehicle for improper purposes, such as the use of records to . . . release trade secrets.’” *Velasco*,
 16 2017 WL 445241, at *2 (quoting *Elec. Arts*, 298 F. App’x at 569); *see also Elec. Arts*, 298 F. App’x at
 17 569 (“A ‘trade secret may consist of any formula, pattern, device or compilation of information which
 18 is used in one’s business, and which gives him an opportunity to obtain an advantage over competitors
 19 who do not know or use it.’”) (citation omitted). A court has “broad latitude” to grant protective orders
 20 to prevent disclosure of “many types of information, including, but not limited to, trade secrets or other
 21 confidential research, development, or commercial information.” *Phillips ex rel. Estates of Byrd v. Gen.*
 22 *Motors Corp.*, 307 F.3d 1206, 1211 (9th Cir. 2002).

23 In determining whether a document should be filed under seal, courts consider, among other
 24 things, the measures taken to guard the information’s secrecy and the value of the information to the
 25 business or its competitors. *E.g., Phillips ex rel. Estates of Byrd v. Gen. Motors Corp.*, 307 F.3d 1206,
 26 1212 (9th Cir. 2002). Here, Defendants seek to seal narrowly tailored excerpts of the Proposed Findings
 27 of Fact and Conclusions of Law, which reference and reflect, among other things, confidential,
 28 proprietary information relating to Defendants’ internal decision-making processes, investment

1 decisions, strategic evaluation of forward-looking opportunities, market share analyses, assessments of
2 the competitive landscape, business partnerships, terms of existing confidential agreements, revenue
3 figures and projections, and internal presentations discussing business strategy. The disclosure of this
4 information could be used to injure Defendants if made publicly available.

5 **II. Sealing Defendants' Proposed Findings of Fact and Conclusions of Law Is Necessary to**
6 **Protect Defendants' Confidential and Proprietary Business Information**

7 Defendants seek to maintain under seal portions of Defendants' Proposed Findings of Fact and
8 Conclusions of Law, as they contain Defendants' non-public and highly sensitive information from
9 documents obtained during the course of the FTC's investigation and during litigation discovery.
10 Examples of such confidential information include, but are not limited to, Defendants' internal decision-
11 making processes, investment decisions, strategic evaluation of forward-looking opportunities, market
12 share analyses, assessments of the competitive landscape, business partnerships, terms of existing
13 confidential agreements, revenue figures and projections, and internal presentations discussing business
14 strategy. Disclosure of this information would provide Defendants' competitors with private data about
15 Defendants' performance and business strategy, which could harm Defendants' competitive standing.
16 *See Cont'l Auto. Sys. v. Avanci, LLC*, 2019 WL 6612012, at *4 (N.D. Cal. Dec. 5, 2019). Thus, the
17 unsealing of this highly confidential and sensitive information would cause injury to Defendants that
18 cannot be avoided through less restrictive alternatives.

19 Finally, Defendants provided the FTC with the confidential business information cited in the
20 Defendants' Proposed Findings of Fact and Conclusions of Law pursuant to the statutory and regulatory
21 guarantees of confidentiality contained in the Hart-Scott-Rodino Act or the FTC Act. *See* 15 U.S.C. §§
22 18a(h), 46(f), 57b-2(b), 57b-2(c); 6 C.F.R. § 4.10(d)-(g). In similar cases, the FTC has acknowledged
23 the need to maintain the confidentiality of a party's confidential business information that has been
24 provided to the FTC via a regulatory request. *See, e.g., FTC v. Lockheed Martin Corp.*, 2022 WL
25 1446650, at *2 (D.D.C. Jan. 25, 2022) ("According to the FTC, sealing the complaint is appropriate . . .
26 because the filing includes confidential information submitted . . . pursuant to 'statutory and regulatory
27 guarantees of confidentiality.' . . . The requested sealing covers only confidential information and is,
28 according to the FTC, required by regulation.").

1 **III. Conclusion**

2 As stated above, compelling reasons justify Defendants' request for sealing Defendants'
3 confidential business information contained in Defendants' Proposed Findings of Fact and Conclusions
4 of Law. Defendants' respectfully request that this Court grant its Motion to Seal. In compliance with
5 Civil Local Rule 79-5, an unredacted version of Defendants' Proposed Findings of Fact and Conclusions
6 of Law is attached as Exhibit B. In accordance with Civil Local Rule 7-11, Defendants have also filed
7 a Proposed Order herewith.

8
9 Dated: June 22, 2023

Respectfully submitted,

10 By: /s/ Beth Wilkinson

11 Jack DiCanio (SBN 138782)
12 Caroline Van Ness (SBN 281675)
13 SKADDEN, ARPS, SLATE, MEAGHER
& FLOM LLP
14 525 University Avenue
15 Palo Alto, California 94301
16 Telephone: (650) 470-4500
Facsimile: (213) 621-5430
jack.dicanio@skadden.com
caroline.vanness@skadden.com

17 Steven C. Sunshine (*pro hac vice*)
18 Julia K. York (*pro hac vice*)
19 SKADDEN, ARPS, SLATE, MEAGHER
& FLOM LLP
20 1440 New York Avenue, N.W.
Washington, DC 20005-2111
21 Telephone: (202) 371-7000
22 Facsimile: (202) 393-5760
23 steven.sunshine@skadden.com
julia.york@skadden.com

24 Maria Raptis (*pro hac vice*)
Matthew M. Martino (*pro hac vice*)
25 Michael J. Sheerin (*pro hac vice*)
26 Evan R. Kreiner (*pro hac vice*)
Bradley J. Pierson (*pro hac vice*)
27 Jessica R. Watters (*pro hac vice*)
SKADDEN, ARPS, SLATE, MEAGHER
28 & FLOM LLP
1 Manhattan West

Beth Wilkinson (*pro hac vice*)
Rakesh N. Kilaru (*pro hac vice*)
Kieran Gostin (*pro hac vice*)
James Rosenthal (*pro hac vice*)
Grace Hill (*pro hac vice*)
Anastasia M. Pastan (*pro hac vice*)
Sarah Neuman (*pro hac vice*)
Jenna Pavelec (*pro hac vice*)
Alysha Bohanon (*pro hac vice*)
WILKINSON STEKLOFF LLP
2001 M Street, N.W., 10th Floor
Washington, D.C. 20036
Telephone: (202) 847-4000
Facsimile: (202) 847-4005
bwilkinson@wilkinsonstekloff.com
rkilaru@wilkinsonstekloff.com
jrosenthal@wilkinsonstekloff.com
kgostin@wilkinsonstekloff.com
ghill@wilkinsonstekloff.com
apastan@wilkinsonstekloff.com
sneuman@wilkinsonstekloff.com
jpavelec@wilkinsonstekloff.com
abohanon@wilkinsonstekloff.com

Jonathan E. Nuechterlein (*pro hac vice*)
C. Frederick Beckner III (*pro hac vice*)
William R. Levi (*pro hac vice*)
Daniel J. Hay (*pro hac vice*)
Lucas Croslow (*pro hac vice*)
Manuel Valle (*pro hac vice*)
Aaron P. Haviland (*pro hac vice*)

1 New York, NY 10001
Telephone: (212) 735-3000
2 Fax: (212) 735-2000
3 maria.raptis@skadden.com
matthew.martino@skadden.com
4 michael.sheerin@skadden.com
evan.kreiner@skadden.com
5 bradley.pierson@skadden.com
jessica.watters@skadden.com
6

7 *Counsel for Defendant Activision Blizzard,*
8 *Inc.*

SIDLEY AUSTIN LLP
1501 K Street, N.W.
Washington, D.C. 20005
jnuechterlein@sidley.com
rbeckner@sidley.com
william.levi@sidley.com
dhay@sidley.com
lcroslow@sidley.com
manuel.valle@sidley.com
ahaviland@sidley.com

Bambo Obaro (SBN 267683)
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065
Telephone: (650) 802-3083
Facsimile: (650) 802-3100
bambo.obaro@weil.com

Megan A. Granger (*pro hac vice*)
Michael Moiseyev (*pro hac vice*)
WEIL, GOTSHAL & MANGES LLP
2001 M Street, NW
Suite 600
Washington, DC 20036
Telephone: (202) 682-7000
Facsimile: (202) 857-0940
megan.granger@weil.com
michael.moiseyev@weil.com

Counsel for Defendant Microsoft Corp.